

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SHELIA ROUSE,

Plaintiff,

v.

No. 1:11-CV-1466

THOMAS DE LORENZO,

Defendant.

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THOMAS J. McAVOY,  
Senior United States District Judge

**DECISION & ORDER**

**I. INTRODUCTION**

This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred by this Court to the Hon. David R. Homer, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule N.D.N.Y. 72.3(c). In his Report-Recommendation and Order, Magistrate Judge Homer recommended that Rouse's complaint be **DISMISSED**. Dkt. # 4. Rouse filed objections, dkt. # 4, and a supplement to her complaint and objections. Dkt. # 7.

**II. DISCUSSION**

When objections to a magistrate judge's report and recommendation are lodged, the district court makes a "*de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." See 28 U.S.C. § 636(b)(1)(C). After reviewing the report and recommendation, the Court may

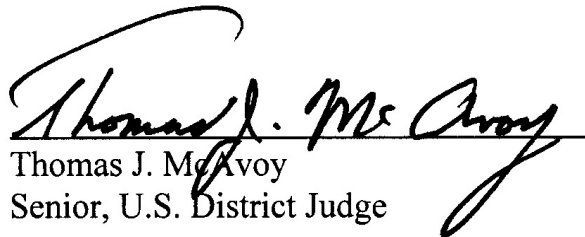
“accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1)(C).

### **III. CONCLUSION**

Having reviewed Plaintiff’s objections and her supplement, the Court determines to adopt Magistrate Judge Homer’s recommendation for the reasons stated in the Report-Recommendation and Order. Therefore, Plaintiff’s complaint is **DISMISSED**.

**IT IS SO ORDERED**

**Dated:** December 10, 2012

  
Thomas J. McAvoy  
Senior, U.S. District Judge